

§ 102.46

§ 102.46 When will SBA respond to my request?

The Systems Manager will acknowledge receipt of your request within 10 working days and issue a written response within 30 working days.

§ 102.47 How will SBA respond to my request?

The Systems Manager will:

- (a) Make the amendment you request, and send all individuals who had previously received a copy of that record a copy of the amended record; or
- (b) Amend the record, in a different manner, sending all individuals who had previously received a copy of that record a copy of the amended record and, in addition, telling you why your request was not granted in full and what appeal rights you have; or
- (c) Decline to amend the record, explaining why your request was not granted and telling you of your appeal rights.

§ 102.48 How do I appeal a refusal to amend a record kept on me?

Your appeal should be in writing and include the following:

- (a) All of the information contained in your original request to amend the record;
- (b) Any response of the Systems Manager, including any reasons for denying your request; and
- (c) Any information you wish to submit in response to the Systems Manager's findings.

§ 102.49 To whom should I address my appeal?

- (a) *Personnel file.* Address your appeal to the Office of Personnel Management, 1900 E Street NW., Washington, DC 20006.
- (b) *Equal Employment Opportunity Complaint File.* Address your appeal to the Equal Employment Opportunity Commission, 1801 L Street NW., Washington, DC 20036.
- (c) *All other appeals.* Address your appeal to the PA Officer. See § 102.30.

§ 102.50 By when must I submit my appeal?

Your appeal must be received by the PA Officer within 30 calendar days of the date the Systems Manager declined

13 CFR Ch. I (1–1–04 Edition)

to amend your records, or within 90 calendar days of the date the Systems Manager should have responded under § 102.46 if the Systems Manager did not so respond.

§ 102.51 By what standards will the Privacy Act Officer review my appeal?

The PA Officer will decide your appeal using the criteria of accuracy, relevance, timeliness, and completeness described in § 102.44. The PA Officer will review all relevant information and may seek the views of other SBA personnel. The PA Officer may review information not available to or not used by the Systems Manager.

§ 102.52 When will SBA respond to my appeal?

The PA Officer will respond to your appeal within 30 working days of its receipt, unless the Administrator determines that unusual circumstances exist, in which case the PA Officer will notify you of the presence of these unusual circumstances within 30 working days of the date upon which he or she received your appeal, and will respond to your appeal within 60 working days of the date of receipt.

§ 102.53 How will SBA respond to my appeal?

The PA Officer will:

- (a) Make the amendment you request, sending all individuals who had previously received a copy of that record a copy of the amended record; or
- (b) Amend the record in a different manner; or decline to amend it at all:
 - (1) Sending all individuals who had previously received a copy of that record a copy of the amended record;
 - (2) Telling you why your request was not granted in full and that you can seek judicial review; and
 - (3) Marking the areas of dispute, including your statement of disagreement in the file, and, if appropriate, a concise statement of why SBA refused to amend the record as you requested, sending this material to all individuals who had previously received a copy of that record.